

Message Text

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ACTION EA-09

INFO OCT-01 EUR-12 IO-10 ISO-00 FEA-01 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DLOS-04 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05

FMC-01 TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03

NSAE-00 NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-04

PRS-01 SP-02 SS-15 USIA-06 /126 W
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R 160910Z DEC 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 5551

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY SEOUL

AMEMBASSY TAIPEI

USMISSION USUN NEW YORK

C O N F I D E N T I A L TOKYO 17860

E. O. 11652: GDS

TAGS: PLOS, JA

SUBJ: GOJ DEBATE ON EXTENSION OF TERRITORIAL WATERS

REFS: A) TOKYO 17660; B) TOKYO 17748

SUMMARY: A RANKING OFFICIAL OF THE JAPANESE FISHERIES AGENCY SAYS THAT INTER-MINISTRY CONSULTATIONS HAVE NOT YET FOUND SOLUTION TO PROBLEM OF PASSAGE THROUGH STRAITS. HOWEVER, FISHING LOBBY PRESSURE ON GOJ TO EXTEND TERRITORIAL WATERS IS CERTAIN TO INTENSIFY. UNLESS RUSSIANS CURB THEIR FLEET OR LOS CONFERENCE REACHES CONSENSUS, GOJ "WILL BE COMPELLED TO DO SOMETHING" NO LATER THAN NEXT SPRING. END SUMMARY.

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1. EMBOFFS ASKED KUNIO YONEZAWA, COUNCILLOR OF OVERSEAS FISH-

ERIES DIV OF FISHERIES AGENCY, ABOUT INTRA-GOJ DISCUSSIONS ON EXTENSION OF TERRITORIAL WATERS TO 12 NAUTICAL MILES (REFTELS). YONEZAWA SAID QUESTION IS NOT WHETHER GOJ WILL ESTABLISH 12 MILE LIMIT, BUT WHEN AND HOW.

2. FISHERIES AGENCY, YONEZAWA SAID, QUITE SENSITIVE TO QUESTION OF RIGHT OF PASSAGE FOR NUCLEAR-ARMED VESSELS THROUGH HITHERTO INTERNATIONAL STRAITS, AND TO IMPACT DECLARATION MIGHT HAVE ON GOJ POSITION RE PASSAGE THROUGH MALACCA AND OTHER STRAITS. QUESTION OF STRAITS PASSAGE AND ITS LINKAGE TO NON-NUCLEAR PRINCIPLES MUST BE FINESSED, HE SAID, AND HE IS CONFIDENT THAT SOMEHOW IT WILL BE. UNFORTUNATELY, HE SAID, GOJ REGARDS ITSELF BOUND BY INTERPRETATION OF NON-NUCLEAR PRINCIPLES ENUNCIATED BY JUSTICE DEPARTMENT SPOKESMAN IN DIET (SOON AFTER THEY WERE PROPOUNDED BY THEN-PRIMIN SATO) TO EFFECT THAT GOJ CANNOT PERMIT "INNOCENT PASSAGE" OF NUCLEAR-ARMED VESSELS THROUGH TERRITORIAL WATERS.

3. THE NOTION OF DECLARING INSTEAD A 12-MILE "EXCLUSIVE FISHERIES ZONE" HAS BEEN CONSIDERED, YONEZAWA SAID. THE GOJ CONCLUDED THAT INTERNATIONAL LAW REMAINS AMBIGUOUS ON THE LEGALITY OF SUCH A SCHEME. IT IS FEARED IN PARTICULAR THAT JAPAN MIGHT BE CONSTRAINED TO PERMIT ACCESS TO SUCH A ZONE BY NATIONS WHICH HISTORICALLY HAVE FISHED COASTAL WATERS (READ: SOVIET UNION).

4. YONEZAWA SAID THAT PRIMIN WILL HAVE TO DECIDE WHETHER GOJ MAY SIMPLY DECLARE EXTENSION OF TERRITORIAL WATERS OR MUST SEEK LEGISLATION. WORKING LEVEL VIEW, HOWEVER, IS THAT DIET ACTION IS NECESSARY TO SPELL OUT HOW NEW LIMIT OF TERRITORIAL SEA WOULD BE MEASURED, WHAT PENALTIES WOULD BE IMPOSED FOR INTRUSION, ETC.

5. PRESENT GRASS-ROOTS PRESSURE ON GOJ, YONEZAWA SAID, IS MAINLY BY COASTAL FISHERMEN FROM HOKKAIDO, WHERE SEASON NOW AT HEIGHT. BECAUSE MANY BOATS FROM THAT AREA FISH SOVIET WATERS, THE HOKKAIDO REACTION IS TEMPERATE BY CONTRAST TO AGITATION YONEZAWA EXPECTS, TO DEVELOP AS FISHING SEASON PROGRESSES AND SOVIET FLEET MOVES DOWN EAST COAST OF HONSHU. UNLESS RUSSIANS EXERCISE GREAT RESTRAINT, PRESSURE ON GOJ WILL PEAK IN MAY WHEN SOVIET FLEET IS OFF THE KANTO COAST (NEAR TOKYO).

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6. YONEZAWA THINKS IT MOST UNLIKELY EITHER THAT LOS CONFERENCE WILL REACH CONSENSUS ON TERRITORIAL SEAS THIS SPRING OR THAT RUSSIAN FLEET WILL DISPLAY UNCHARACTERISTIC RESTRAINT. THUS HE EXPECTS GOJ TO EXTEND TERRITORIAL SEA IN SOME FASHION NO LATER THAN SPRING.

7. EMBOFFS' PROBE REGARDING SOVIET RESPONSE TO ONGOING GOJ DEBATE ELICITED ONLY RESPONSE THAT IN PRINCIPLE RUSSIANS HAVE

NO GROUNDS FOR COMPLAINT. THE AGREEMENT REACHED WITH THEM, SAID
YONEZAWA, SIMPLY CONCERNS PRECAUTIONS TO AVOID FOULING NETS OF
OTHER NATION'S FISHERMEN; IT DOES NOT DEAL WITH TERRITORIAL
WATERS.
HODGSON

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